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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,141	11/25/2003	Thomas Edwin Long	B020680	6341

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ABB INC.
LEGAL DEPARTMENT-4U6
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EXAMINER

ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
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2168

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/721,141

Applicant(s)

LONG, THOMAS EDWIN

Examiner

Greta L. Robinson

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 26, 2007 has been entered.
2. Claims 47-54 are pending in the present application.
3. Claims 1-46 have been cancelled; and new claims 47-54 have been added.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
5. Claims 47-54 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. The specification does not appear to explicitly describe the following limitation "combining the product finder software unit with other software units to form an object-oriented software application. Note the specification does not appear to specifically reference an "object-oriented" software application or state combining the product finder software with other software units to form an object-oriented software application.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 47-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claim 47 the limitation is vague and/or not clear: "forming a searchable store of information about specific products" [note: claim 47 lines 1-2]. The meaning of the term forming a searchable store" is not clear. Note the body of the claim recites "creating a search configuration in accordance with the search rules". It is unclear as to whether "forming a searchable store" is equivalent to this limitation. Clarification is requested.

Dependent claims 48-54 are rejected based on dependency.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 47-49 and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skufca et al. US Patent 6,922,695 B2 in view of Wheeler et al. US Patent 6,839,714 B2.

Regarding claim 47, **Skufca et al.** teaches forming a searchable store of Information about specific physical products [note: abstract; and J2EE Web Application Server (810) Figure 8], the method comprising:

providing data storage containing product information about the specific physical products [see: column 1 line 56 through column 2 line 13];

providing a computer program product comprising: a computer readable medium [note: column 1 line 56 through column 2 line 13];

a reusable product finder software unit stored on the computer-readable medium, the product finder software unit comprising a plurality of product objects and a product manager for performing searches, each product object representing information for a generic product [see: note: Enterprise JAVA Bean (880); col. 6 lines 2-58; col. 10 lines 59-67] ;

a set of metadata rules stored on the computer-readable medium [note: : col. 12 lines 28-45; J2EE specification addresses rule-based authorization col. 13 lines 28-45]; and

a set of search rules stored on the computer-readable medium [note: col. 12 lines 28-45; J2EE specification addresses rule-based authorization col. 13 lines 28-45];

combining the product finder software unit with other software units to form an object-oriented software application [note: Figure 3 development tools (310) entity EJB creation wizards, mappings, etc.; Figure 8 J2EE Web Application Server Figure 10 1012 and 1032; col. 1 lines 43-55 need to connect online web-based applications; also see col. 10 line 55 through col. 11 line 10; and col. 12 line 66 through col. 13 line 2];

creating product metadata for the specific physical products using the metadata rules [note: Figure 8 (830); col. 11 lines 11-33]; and

creating a search configuration in accordance with the search rules [note: note: col. 3 line 59 through col. 4 line 8; col. 12 lines 53-55]; and

wherein the product manager in the software application is operable to perform searches of the product information in the data storage using the product objects and the product metadata , the searches being performed in accordance with the search configuration [note: col. 3 line 59 through col. 4 line 8; col. 12 lines 53-55].

Although Skufca et al. teaches the invention substantially as cited above, they do not explicitly depict a search configuration component. Wheeler et al. teaches a search configuration component [note: search component 415 Figure 4; col. 10 lines 31-45]; also, note Wheeler teaches weight values to apply for ordering partial matches

[see: "search criteria" abstract; Figure 8 tree level matching; col. 4 lines 20-33; col. 8 lines 21-43 similar structure match]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Wheeler et al. with Skufca et al. because a search component would provide a means for implementing Skufca et al.'s search rules through the J2EE Web Application Server (810).

10. (Claim 48) wherein the product objects comprise JAVA entity beans and the product manager comprises a JAVA session bean [note Skufca et al.: Figure 8 EJB (880); also note Figure 7B and Figure 2 (220) (230)].

11. Regarding claim 49, wherein the product objects represent information for a generic product by a set of parameters comprising characteristics and attributes [note: Figures 5-7B and 9A].

12. Regarding claims 52 and 53:

(Claims 52 and 53) wherein the metadata rules is an XML schema ...search rules in an XML schema [note Skufca et al.: col. 12 lines 30-46; col. 12 line 66 through col. 13 line 6].

13. Regarding claim 54, "wherein the set of search rules include weight values" [note Wheeler teaches weight values to apply for ordering partial matches ; also "search criteria" abstract; Figure 8 tree level matching; col. 4 lines 20-33; col. 8 lines

21-43 similar structure match].

Response to Arguments

14. Applicant's arguments with respect to claims 47-54 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues the prior art does not provide for the limitation of combining the product finder software unit with other software units; however note Skufca et al. relies on JAVA 2 Enterprise Edition (J2EE) as a software architecture in constructing a multi-tiered transaction system [see: column 2 lines 7-21; and citations supra].

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yu et al., Strategies for Integration of Non-OO EIS and J2EE Framework

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



GRETA ROBINSON
PRIMARY EXAMINER

Greta Robinson
Primary Examiner
July 13, 2007